

TO: (Name, office symbol, room number, building, Agency/Post)		Initials	Date
1.			STAT
2.	OCA		
3.	7B 24 HQ		
4.			
5.			

Action	File	Note and Return
Approval	For Clearance	Per Conversation
As Requested	For Correction	Prepare Reply
Circulate	For Your Information	See Me
Comment	Investigate	Signature
Coordination	Justify	

REMARKS

Please replace the comment sheet you already have on same subject with this corrected version. I've only changed the last sentence of the original per corrections suggested by Retirement Division/OP.

Changes do not affect previous response.

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post)	Room No.—Bldg.
	Phone No.

5041-102

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OPTIONAL FORM 41 (Rev. 7-78)
Prescribed by GSA
FPMR (41 CFR) 101-11.206

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COMMENT SHEET

D 1-11-1
..OCA 2571/88
{Rec'd 8Aug88}

TO:

Office of Congressional Affairs

STAT

FROM:

Compensation, Automation, and Planning/OP

STAT

SUBJECT: H.R. 1961, Pension Portability Act of 1988

Subject bill has been reviewed by the Office of Personnel and our position is as follows:

- ☒ No objection.
- ☐ Continue monitoring/OP interest.
- ☒ No CIA equities.
- ☐ Seek CIA exemption.
- ☐ Advise OP when enacted.
- ☒ Comments.

This bill amends the Employee Retirement Income Security Act of 1974 (ERISA) and the Internal Revenue Code of 1986 (IRC) to improve the current retirement income system by simplifying and clarifying requirements relating to simplified employee pensions and by providing for portable pension plans. Thus, the bill would allow for the portability and transfer of both employer and employee contributions from tax qualified plans and arrangements to other portable plan arrangements (e.g., individual retirement accounts and annuities).

The only provision that impacts upon federal retirement systems, proposed section 417A of the IRC, would allow governmental and church plans to voluntarily elect to provide direct trustee-to-trustee portability transfers under their plans. The benefit derived from including such a provision in federal retirement systems would be practically nonexistent. Since employee contributions to the retirement fund already have been taxed, any contributions refunded to an employee who separates from service prior to being eligible to retire are not taxed again. Further, in such cases, the federal government does not provide the employee with employer contributions, which would be taxable. The only amount that would be taxable would be the interest on employee contributions that is paid when the employee resigns prior to vesting in the Civil Service Retirement System (before the completion of 5 years) or when the employee resigns under FERS.

12 July 1988
Date

Name/Signed

STAT

OCA FILE

Fed Pers

1 August 1988
OCA 2544-88

MEMORANDUM FOR: Chief, Logistics & Procurement Law Division/OGC

FROM: Legislation Division
Office of Congressional Affairs

STAT

SUBJECT: Federal Employees Liability Reform and Tort
Compensation Act of 1988, H.R. 4612

1. has informed me that your division will be
handling all matters concerning torts. Accordingly, I am
attaching the above-captioned bill for your information.

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2. The House has passed the bill, now being considered by
the Senate, which provides that the Federal Government shall be
the sole defendant in suits concerning common law torts
committed by Federal employees within the scope of their
employment. We expect the Senate to pass the bill in the near
future.

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3. Should you have any questions, please telephone me on

STAT

Attachment

OCA/LEG/ (1 August 1988)

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Distribution:

- Original - Addressee
- 1 - DDL/OCA
- 1 - OCA Registry
- 1 - OCA/Leg/Subject File: Misc. Personnel
- 1 - OCA/Leg/Subject File: Legislation General
- 1 - Signer
- 1 - OCA Read

STAT

100TH CONGRESS
2D SESSION

H. R. 4612

IN THE SENATE OF THE UNITED STATES

JULY 6, 1988

Received; read twice and referred to the Committee on the Judiciary

AN ACT

To amend title 28, United States Code, to provide for an exclusive remedy against the United States for suits based upon certain negligent or wrongful acts or omissions of United States employees committed within the scope of their employment, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 SECTION 1. SHORT TITLE.

4 This Act may be cited as the "Federal Employees Li-
5 ability Reform and Tort Compensation Act of 1988".

6 SEC. 2. FINDINGS AND PURPOSES.

7 (a) FINDINGS.—The Congress finds and declares the
8 following: